




PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 12, 2004.


Alex Martinez

Applicant : Kiyoshi Miyazaki, et al.
Application No. : 10/812,864
Filed : March 29, 2004
Title : PETUNIA PLANT NAMED 'SUNBABUVE'

Grp./Div. : 1661
Examiner : N/A

Docket No. : 52227/DBP/A400

**LETTER IN RESPONSE TO NOTICE TO
FILE MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
August 12, 2004

Commissioner:

In response to the Notice to File Missing Parts of Application dated June 14, 2004,
enclosed are:


1. Copy of Notice to File Missing Parts of Application.
2. Check for \$530.00 for the filing fee and a surcharge check for \$130.00.
3. Executed Declaration and Power of Attorney.
4. A Supplemental Information Disclosure Statement with Form PTO/SB/08A/B and cited references.

Application No. 10/812,864

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required during the **pendency** of this application to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

D. Bruce Prout
Reg. No. 20,958
626/795-9900

DBP/aam
Enclosures: As listed

AAM PAS579392.1-* -08/12/04 2:56 PM



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/812,864	03/29/2004	Kiyoshi Miyazaki	52227/DBP/A400

23363
CHRISTIE, PARKER & HALE, LLP
PO BOX 7068
PASADENA, CA 91109-7068



CONFIRMATION NO. 4134

FORMALITIES LETTER



OC000000012927982

Date Mailed: 06/14/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 530 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$660 for a Large Entity

- \$530 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450

Alexandria VA 22313-1450

Adjustment date: 08/18/2004 BABRAHA1
08/17/2004 BABRAHA1 00000084 031728 10812864
02 FC:1001 240.00 BA 530.00 OP

06/17/2004 BABRAHA1 00000084 031728 10812864

08/18/2004 BABRAHA1 00000029 10812864

01 FC:1003

530.00 OP

01 FC:1051 130.00 OP
02 FC:1001 240.00 BA 530.00 OP

*A copy of this notice **MUST** be returned with the reply.*

John Ware

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE